



October 18, 1982
NUMBER 1403.1

Department of Defense Directive

ASD(MRA&L)

SUBJECT : The Senior Executive Service and Equivalent-Level Positions and Personnel

- References:
- (a) DoD Directive 1442.5, "Delegations of Authority with Respect to Allotment of Spaces and Establishment of Positions for Top Level Scientific, Professional, and Executive Personnel, " October 15, 1979 (hereby canceled)
 - (b) DoD Directive 1400.19, "Staffing of Executive Level Positions, " June 20, 1968 (hereby canceled)
 - (c) Secretary of Defense Multiaddressee Memorandum, "Senior Executive Service, " June 8, 1979 (hereby canceled)
 - (d) Title IV of Public Law 95-454, "Civil Service Reform Act of 1978"
 - (e) Title 5, United States Code, Sections 3104, 3133, 3393, 4314, and 5371
 - (f) DoD Directive 5120.46, "The Department of Defense Affirmative Action Board, " January 8, 1977

A. PURPOSE

This Directive replaces references (a), (b), and (c) and implements reference (d) to prescribe policy and assign responsibilities for management of the Senior Executive Service (SES) and equivalent-level positions and personnel.

B. APPLICABILITY AND SCOPE

1. This Directive applies to the Office of the Secretary of Defense (OSD) (which includes OSD field activities, the Organization of the Joint Chiefs of Staff, the U.S. Mission to the North Atlantic Treaty Organization (NATO), the U.S. Court of Military Appeals, and the Defense Agencies except the National Security Agency/Central Security Service and the Defense Intelligence Agency) and to the Military Departments. (Hereafter, the OSD and the Military Departments are referred to collectively as "DoD Components").

2. Its provisions cover:

- a. The SES.
- b. Positions established under section 3104 of reference (e), that is, scientific and professional personnel who conduct research and development activities.
- c. Positions in General Schedule (GS) grades 16-18.

C. DEFINITIONS

Terms used in this Directive are defined in enclosure 1.

D. POLICY

1. It is the policy of the Department of Defense that the management of the executives of the Department shall be responsive to the needs, policies, and goals of the nation and otherwise be of the highest quality.

2. If an SES position is abolished, the incumbent shall be placed in another SES position for which qualified, if at all possible.

E. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) (ASD(MRA&L)) shall:

a. Issue policy and guidance to DoD Components for the SES, positions established under 5 U.S.C. 3104 (reference (e)), and positions in GS grades 16-18.

b. Obtain from the Office of Personnel Management (OPM) DoD-wide authorizations for SES positions, positions established under section 3104 of reference (e), and positions in GS grades 16-18, including numbers and changes to numbers of career-reserved positions and noncareer appointment authorities and the pool and executive development spaces. The ASD(MRA&L) shall recommend to the Secretary of Defense the distribution of these authorizations among DoD Components.

c. Coordinate the biennial review of positions conducted by the DoD Components as required by section 3133 of reference (e).

d. Manage SES allocations for the Department of Defense, including reviewing SES allocations to the DoD Components, mediating conflicts among the DoD Components, and recommending changes, as appropriate, to the Secretary of Defense.

e. Maintain current records of SES allocations to the DoD Components, including SES allocations assigned from executive development and pool spaces.

f. Receive nominations for meritorious executive and distinguished executive ranks from the DoD Components, and submit their recommendations to the Secretary of Defense.

g. Serve as Chair of the DoD Affirmative Action Board, whose purpose is to ensure the employment and promotional opportunities of minorities and women in executive positions, GS-15 and above (see DoD Directive 5120.46, reference (f)).

2. The Deputy Assistant Secretary of Defense (Administration) (DASD(A))
(for the OSD) and the Secretaries of the Military Departments shall:

a. Manage the SES, positions established under 5 U.S.C. 3104 (reference (e)), and positions in GS grades 16-18 within the policies prescribed by the OPM and the Secretary of Defense and as further implemented by the policies and guidance provided by the ASD(MRA&L), after allocations are made by the Secretary of Defense. This responsibility includes establishing and abolishing SES positions, positions established under section 3104 of reference (e), and positions in GS grades 16-18, subject to OPM regulations.

b. Classify GS 16-18 positions.

c. Fill SES and equivalent-level positions, using merit procedures when required or appropriate, with emphasis on affirmative actions to ensure equal employment opportunity.

d. Provide representatives to the DoD Affirmative Action Board (see DoD Directive 5120.46, reference (f)).

e. Determine appointing authorities (such as career, noncareer, schedule A, or schedule E).

f. Obtain approval from the OPM for limited-term and limited-emergency appointments.

g. Approve the professional and technical qualifications of new career and limited appointees to SES positions.

h. Obtain approval of managerial and executive qualifications of new career appointees to SES positions from the Qualifications Review Board at the OPM.

i. For positions designated as SES general and to be filled by a noncareer appointee, certify to the Secretary of Defense through the DASD(A) that the noncareer appointee meets the professional and technical requirements of the position and the managerial and executive requirements, and furnish the OPM with the appropriate documentation.

j. Approve qualifications of appointees to positions established under section 3104 of reference (e) and GS 16-18 positions.

k. Maintain the number of career-reserved positions allocated by the Secretary of Defense.

l. Continue career-reserved and general designations, once made, unless prior approval to make a change is received from the OPM.

m. Fix the salary of positions established under section 3104 of reference (e) in accordance with section 5371 of reference (e).

n. Submit to the ASD(MRA&L) requests for changes in allocations made by the Secretary of Defense.

o. Submit to the DASD(A), in his function as OSD designee, requests for the use of pool spaces. The DASD(A) shall coordinate the requests with the ASD(MRA&L).

p. Submit to the ASD(MRA&L) requests for the use of executive development spaces.

q. Submit nominations for noncareer appointments or noncareer reassignments to the Secretary of Defense through the DASD(A) for approval of qualifications and the use of a noncareer authority.

Remove noncareer appointees from continuing positions after concurrence by the Secretary of Defense through the DASD(A).

s. Submit nominations of candidates for meritorious executive and distinguished executive ranks to the Secretary of Defense through the ASD(MRA&L).

t. Establish Executive Resources Boards (ERBs) to conduct the merit staffing process for career appointees in the SES.

u. Establish a program for the ongoing development of SES members, incorporating the use of Individual Development Plans (IDPs).

v. Establish programs for the selection and development of candidates for the SES, incorporating the use of IDPs.

w. Establish Performance Review Boards (PRBs) to provide for consistency, stability, and objectivity in SES appraisals in the DoD Component.

x. Issue delegations of authority, as deemed appropriate, for establishing ERBs and PRBs and otherwise manage the SES within major subordinate organizations.

y. Establish systems for rating the performance of SES members and the incumbents of 5 U.S.C. 3104 (reference (e)) and GS 16-18 positions.

z. Establish equitable systems for the consideration and approval of salary adjustments, bonuses, and cash awards for performance for SES employees.

aa. Remove career employees from the SES for nonperformance or for cause.

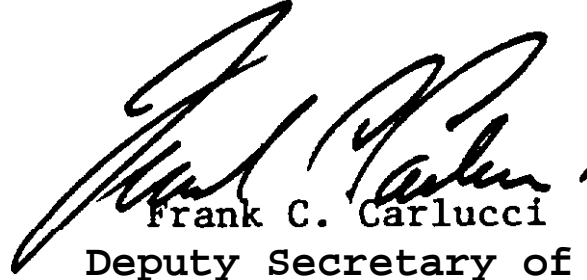
bb. Establish equitable procedures for the placement of SES members whose jobs are abolished or are affected by reorganization and, when needed, establish equitable procedures for reduction in force.

cc. Provide to the ASD(MRA&L) current data on SES allocations, including SES allocations assigned from pool spaces.

dd. Conduct the biennial review of positions required by section 3133 of reference (e) and submit them to the ASD(MRA&L) for coordination.

F. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days.



Frank C. Carlucci
Deputy Secretary of Defense

Enclosure - 1
Definitions

DEFINITIONS

1. Appointing Authority. A management official designated in writing by the Secretary of a Military Department or, for the OSD, by the DASD(A) to assume the authorities prescribed herein.
2. Career Appointee. An individual in an SES position whose competitive appointment to the position *or* previous appointment to another SES position was based on approval by the OPM of the executive and managerial qualifications of the individual.
3. Career-Reserved Position. A position in the SES that may be filled only by a career appointee and for which it is justifiable to so restrict the appointment in order to ensure impartiality, or the public's confidence in the impartiality, of the government.
4. Executive Development Spaces. A small number of SES authorizations reserved for use by the DoD Components to provide developmental opportunities for incumbent SES members.
5. Executive Resources Board (ERB). A board of DoD officials or employees established under 5 U.S.C. 3393(b) (reference (e)) to conduct the Merit staffing process for career appointees in the SES. The ERB's functions include reviewing the executive and managerial qualifications of each candidate, making written recommendations concerning such candidates to the appropriate appointing authority, and other duties assigned to that body by a Military Department Secretary or, in the OSD, by the DASD(A). Each DoD Component is authorized one or more ERBs.
6. General Position. A position in the SES that may be filled by an appointee under any type of authorized appointment, including career, noncareer, limited-term, or limited-emergency appointments.
7. Individual Development Plan (IDP). A plan prepared by SES members and their supervisors, and SES candidates and their Centers, normally in conjunction with the annual performance review process. The plan is based upon the member's or the candidate's needs to improve or develop executive capabilities and is used to improve performance, to assume greater responsibilities, or both.
8. Limited-Emergency Appointee. An individual appointed under a nonrenewable appointment, not to exceed 18 months, to an SES position established to meet a bona fide, unanticipated, urgent need.
9. Limited-Term Appointee. An individual appointed under a nonrenewable appointment for a term of 3 years or less to an SES position, the duties of which will expire at the end of such term.
10. Noncareer Appointee. An individual in an SES position who is not a career appointee, a limited-term appointee, or a limited-emergency appointee, is appointed noncompetitively, and serves at the discretion of the Secretary of Defense.

11. Performance Review Board (PRB). A board of DoD officials or employees established under 5 U.S.C. 4314(c) (reference (e)) to consider the initial performance appraisals of SES members by their supervisors and to make recommendations to the appropriate appointing authority concerning such appraisal and performance awards. In the case of the appraisal of a career appointee, more than one-half of the members shall consist of career appointees. Each DoD Component is authorized one or more PRBs.

12. Pool Spaces. A small number of SES authorizations reserved for the use of the Secretary of Defense to meet unexpected needs in the Department of Defense.

13. Qualifications Review Board (QRB). A board established by the OPM under section 3393(c) of reference (e) to certify the executive and managerial qualifications of candidates for initial appointment as career appointees. More than one-half of the members of each QRB shall be career appointees selected on the basis of their professional knowledge of public management and of the appropriate occupational field of the intended appointee.